

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 ***

4
5 UNITED STATES OF AMERICA,

6 Plaintiff,

7 vs.

8 NIKOLAS DELAROSA,

9 Defendant.

2:17-cr-00169-KJD-VCF

ORDER

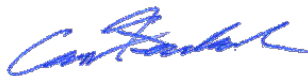
10
11 Before the Court is Delarosa's Motion to Dismiss. (ECF No. 47). The government filed a response
12 to the motion to dismiss on September 13, 2017. (ECF No. 56). No reply filed and the time to file a reply
13 has passed.

14 In the Motion to Dismiss, Delarose seeks to dismiss Count Two, 18 U.S.C. § 924(c)(1)(A)(ii) and
15 (iii) Possession of Firearm in Furtherance of a Crime of Violence. (ECF No. 47). In the superseding
16 indictment, Delarosa is not charged with the crime of 18 U.S.C. § 924(c)(1)(A)(ii) and (iii) Possession of
17 Firearm in Furtherance of a Crime of Violence, in any of the counts. (ECF No. 49).

18 Accordingly,

19 IT IS HEREBY ORDERED that Delarosa's Motion to Dismiss Count Two (ECF No. 47) is
20 DENIED as MOOT.

21 DATED this 22nd day of September, 2017.

22 

23 CAM FERENBACH
24 UNITED STATES MAGISTRATE JUDGE
25